

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

December 6, 2004

VIA HAND DELIVERY

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street N.W.
Washington, DC 20423

212701-
RECEIVED
DEC 6 2004
TRANSPORTATION BOARD



**Re: Docket No. AB-874X
Sierra Northern Railway –
Abandonment Exemption – in Yolo County, California**

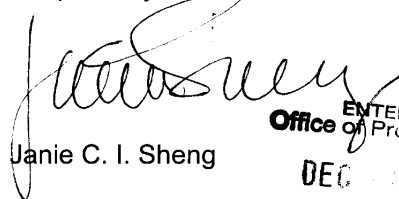
Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Notice of Exemption** of Sierra Northern Railway, dated December 6, 2004. A check in the amount of \$3,000, representing the appropriate filing fee for this transaction, is attached. The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Section of Environmental Analysis.

An additional copy of this letter is enclosed for date-stamp and return to our messenger.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

Respectfully submitted,


Janie C. I. Sheng

ENTERED
Office of Proceedings

DEC 6 2004

Part of
Public Record

Enclosures
cc: Elaine K. Kaiser, SEA

212701 2-
DEC 6 2004
RECEIVED

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-874X

SIERRA NORTHERN RAILWAY
– ABANDONMENT EXEMPTION –
IN YOLO COUNTY, CALIFORNIA

VERIFIED NOTICE OF EXEMPTION

FILED
DEC - 6 2004
SURFACE
TRANSPORTATION BOARD

FILED
DEC - 6 2004
SURFACE
TRANSPORTATION BOARD

Janie C. I. Sheng
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036

ATTORNEY FOR SIERRA NORTHERN
RAILWAY

Dated: December 6, 2004

ENTERED
Office of Proceedings

DEC 2004

Part of
Public Record

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-874X

SIERRA NORTHERN RAILWAY
– ABANDONMENT EXEMPTION –
IN YOLO COUNTY, CALIFORNIA

DEC 6 2004
RECEIVED

VERIFIED NOTICE OF EXEMPTION

Sierra Northern Railway ("Sierra") hereby files this Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for Sierra to abandon the Clarksburg Branch ("the Subject Line"), a total distance of approximately 9.27 route miles between Mile Post 90.5 in the City of West Sacramento to a point south of Pumphouse Road, Yolo County, California.¹ A map indicating the Subject Line is attached hereto as Exhibit 1. In accordance with 49 C.F.R. § 1152.50(d)(2), Sierra submits the following information:

IDENTIFICATION OF PETITIONER: 49 C.F.R. 1152.22(a)(1)-(2)

Sierra Northern Railway, a wholly owned subsidiary of Sierra Railroad Company, acquired title to the Subject Line as Yolo Shortline Railroad Company from Union Pacific Railroad under the financial assistance procedures of section 49 U.S.C. § 10905(e) (now 49 U.S.C. § 10904(e)), and commenced operations in February 1991. See Union Pac. RR. Co. – Abandonment – In Yolo County, Ca., Docket No. AB-33

¹ A prior agreement between Union Pacific Railroad Company ("UP") and Sierra gave UP limited use of approximately 0.5 miles of the Subject Line to assist in its switching moves in its West Sacramento railroad yards. The agreement was terminated on June 30, 2004. The cessation of UP's limited use under the agreement does not require STB discontinuance authority under 49 U.S.C. §10903.

(Sub-No. 64) (STB served Oct. 29, 1990) (not printed). Sierra is a Class III common carrier by rail, and is organized and existing under and by virtue of the laws of the State of California, and owns and operates approximately 90 route miles of rail line in California.

The full name and address of the applicant herein is as follows:

Sierra Northern Railway
341 Industrial Way
Woodland, CA 95776
(530) 666-9646

RELIEF SOUGHT: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption from the abandonment and discontinuance of service over out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), Sierra seeks to abandon the Clarksburg Branch. The total distance of the Subject Line is approximately 9.27 route miles, all within the County of Yolo, California.

DETAILED MAP: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Subject Line and its relation to other rail lines, highways, water routes and population centers in the area is attached hereto as Exhibit 1.

APPLICANT'S REPRESENTATIVE: 49 C.F.R. § 1152.22(a)(7)

Any questions concerning this application should be sent to Sierra's representative at the following address:

Janie C. I. Sheng
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036

ZIP CODES OF THE SUBJECT LINE: 49 C.F.R. § 1152.22(a)(8)

The Subject Line traverses United States Postal Service ZIP codes 95691 and 95612.

QUALIFICATION FOR CLASS EXEMPTION: 49 C.F.R. § 1152.50(b)

Sierra certifies that no local or overhead traffic has moved over the Subject Line for at least two years. In addition, no formal complaint filed by a user of rail service on the Subject Line (or a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Subject Line either is pending with the Board or any United States District Court or has been decided in favor of such complainant during the last two years. See certification of David Magaw, attached hereto as Exhibit 2.

PROPOSED CONSUMMATION DATE: 49 C.F.R. § 1152.50(d)(2)

Sierra intends to enter into a trail use agreement with the City of West Sacramento on the Subject Line soon after this notice becomes effective.

SUITABILITY FOR OTHER PUBLIC PURPOSES: 49 C.F.R. § 1152.22(e)(4)

The right-of-way of the Subject Line may be suitable for alternative public use under 49 U.S.C. § 10905, including future use as part of a public transit corridor or potential use as a recreational trail.

NOTICE REQUIREMENT: 49 C.F.R. § 1152.50(d)(1), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written pre-filing notice of this abandonment is attached hereto as Exhibit 3. A certificate that the Environmental and Historic Report accompanying this Notice of Exemption as Exhibit 4 has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix E to that Report.

LABOR PROTECTION: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the abandonment and discontinuance of service transactions proposed herein is that set forth in Oregon Short Line RR. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

ENVIRONMENTAL AND HISTORIC PRESERVATION DATA: 49 U.S.C. § 1105

An Environmental and Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit 4. That report concludes that the proposed abandonment and discontinuance, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Respectfully submitted,

By: 

Janie C. I. Sheng
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue, N.W.
Washington, DC 20036
(202) 778-9000

**ATTORNEY FOR SIERRA
NORTHERN RAILWAY**

Dated: December 6, 2004

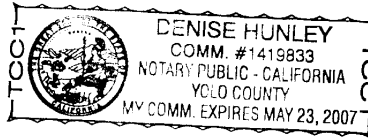
VERIFICATION

State of California)
)
County of Yolo) SS:

David Magaw, being duly sworn, deposes and says that he is President of Sierra Northern Railway, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated, to the best of his knowledge, information and belief.

David Magaw

SUBSCRIBED AND SWORN to
Before me this 1 day
Of December, 2004
Denise Hunley
Notary Public



My Commission expires: May 23, 2007

EXHIBIT 1

MAP

Maps showing the location of the Subject Line are attached hereto as Exhibit 4,
Tab A.

EXHIBIT 2

CERTIFICATION

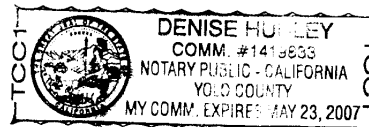
State of California)
)
County of Yolo) SS:

David Magaw, being duly sworn, deposes and says that he is President of Sierra Northern Railway, and that to the best of his knowledge, information and belief:

No local or overhead freight rail traffic has moved over the Clarksburg Branch (the "Subject Line"), a total distance of approximately 9.27 route miles between Mile Post 90.5 in the City of West Sacramento to a point south of Pumphouse Road, Yolo County, California within the last two (2) years. No formal complaint filed by a user of rail service on the Subject Line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the Subject Line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years.

David Magaw

SUBSCRIBED AND SWORN to
Before me this 1 day
Of December, 2004
Denise Hurley
Notary Public



My Commission expires: May 23, 2007

EXHIBIT 3

CERTIFICATION

I hereby certify: pursuant to 49 C.F.R. § 1105.11, that the Environmental and Historic Reports were submitted to the agencies identified in § 1105.7(b) and to the appropriate State Historic Preservation Officer (see Exhibit 4); pursuant to 49 C.F.R. § 1105.12, that a notice of intent to abandon rail service was published in *The Daily Democrat*, Woodland, California, on November 8, 2004 (see Exhibit 4, Appendix E); and that the notice required by 49 C.F.R. § 1152.50(d)(1) was given (see Exhibit 5).

A handwritten signature in cursive script, reading "Justin Sweeney", is written over a horizontal line.

Dated: December 6, 2004

EXHIBIT 4

ENVIRONMENTAL AND HISTORIC REPORTS

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

November 12, 2004

Janie C. I. Sheng
202.778.9855
Fax: 202.778.9100
jsheng@kl.com

TO: ALL PARTIES ON THE ATTACHED ENVIRONMENTAL CONTACT LIST

RE: Docket No. AB-874X
Sierra Northern Railway – Abandonment Exemption –
In Yolo County, California

Dear Sir or Madam:

On behalf of Sierra Northern Railway, we expect shortly to be filing with the Surface Transportation Board a Notice of Exemption seeking authority to abandon the Clarksburg Branch between approximately milepost 90.5 in the City of West Sacramento and a point south of Pumphouse Road in Yolo County, California. Attached is an Environmental Report and Historic Report describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the Board's environmental review process, please contact the Section Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423, 202-927-6211, and refer to the above Docket No. AB-874X. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to SEA (with a copy to our representative) would be appreciated within 3 weeks.

Your comments will be considered by the Board in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact me at (202) 778-9000 or by mail at: Kirkpatrick & Lockhart LLP, 1800 Massachusetts Avenue, NW, Washington, DC 20036.

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BOSTON ■ DALLAS ■ HARRISBURG ■ LOS ANGELES ■ MIAMI ■ NEWARK ■ NEW YORK ■ PITTSBURGH ■ SAN FRANCISCO ■ WASHINGTON

Kirkpatrick & Lockhart LLP

November 12, 2004
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Janie Sheng". The signature is fluid and cursive, with the first name "Janie" and last name "Sheng" clearly distinguishable.

Janie C. I. Sheng
Attorney for Sierra Northern Railway

Kirkpatrick & Lockhart LLP

Environmental and Historic Report
ENVIRONMENTAL CONTACT LIST

Sierra Northern Railway – Abandonment Exemption – in Yolo County, California
Docket No. AB-874X

FEDERAL AGENCIES CONSULTED:

U.S. Environmental Protection Agency

U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 744-1305

U.S. Fish and Wildlife Services

Regional Director
U.S. Fish & Wildlife Service
Eastside Federal Complex
911 NE 11th Avenue
Portland, OR 97232-4181
(503) 231-6118

U.S. Army Corps of Engineers

U.S. Army Engineer District, Sacramento
1325 "J" Street
Sacramento, CA 95814-2922
(916) 557-7490

National Park Service

National Park Service
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607
(510) 817-1300

U.S. National Geodetic Survey

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East West Highway
Silver Spring, MD 20910-3282
(301) 713-3245

STATE AGENCIES CONSULTED:

State Clearinghouse

Chief Projects Analyst
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814
(916) 323-7480

State Historic Preservation Office

Office of Historic Preservation
Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001
(916) 653-6624

State Environmental Protection Agency

Environmental Protection Agency
P.O. Box 2815
Sacramento, CA 95812
(916) 551-1313

State Natural Resource Conservation Service

Natural Resource Conservation Service
USDA Conservation Service
430 G Street #4165
Davis, CA 95616-5475
(530) 792-5700

Coastal Zone Management

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
(415) 904-5200

REGIONAL PLANNING COMMISSION:

Yolo County

Yolo County Board of Supervisors
292 West Beamer Street
Woodland, CA 95695
(530) 666-8775

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-874X

SIERRA NORTHERN RAILWAY
— ABANDONMENT EXEMPTION —
IN YOLO COUNTY, CALIFORNIA

ENVIRONMENTAL AND HISTORIC REPORT

Kevin M. Sheys
Janie C. I. Sheng
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue
Washington, DC 20036
(202) 778-9000

**ATTORNEYS FOR SIERRA NORTHERN
RAILWAY**

Dated: November 12, 2004

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-874X

SIERRA NORTHERN RAILWAY
— ABANDONMENT EXEMPTION —
IN YOLO COUNTY, CALIFORNIA

ENVIRONMENTAL AND HISTORIC REPORT

Sierra Northern Railway ("Sierra" or "Applicant") submits this Environmental and Historic Report (the "Report") in accordance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8, for the purpose of assisting the Surface Transportation Board (the "Board") in its preparation of an environmental assessment in connection with Sierra's Verified Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for the abandonment of approximately 9.27 route miles of rail line in Yolo County, California. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect the quality of the human environment, the conservation of energy resources, or historically significant or archaeological sites. Supporting correspondence and certifications are attached.

All representations made herein are to the best of Sierra's knowledge and information otherwise readily available in Sierra's possession on the date of this Report.

Environmental Report - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. Sierra expects shortly to file a Notice of Exemption under 49 C.F.R. § 1152.50 from prior Board approval for the abandonment of a certain railroad right-of-way located between approximately milepost 90.5 in the City of West Sacramento and a point south of Pumphouse Road, Yolo County, California (the "Subject Line"). The Subject Line extends for approximately 9.27 route miles. Upon obtaining Board authority, Sierra plans to remove the rail and other track materials from the Subject Line and to perform related clean-up. Sierra intends to recycle materials, where possible, by using them on other parts of its systems. Sierra does not intend to remove any bridges or culverts on the Subject Line.

A map showing the location of the Subject Line is attached hereto as Appendix A.

2. Transportation System. Applicant does not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment. The proposed abandonment will not cause any diversion of passengers or freight to other transportation systems or modes because no freight rail service, except for the occasional storage of railcars, has been provided on the Subject Line for more than ten (10) years.

3. Land Use.

(i) Applicant does not foresee any inconsistencies with regional and/or local land use plans, and has contacted and requested comments from the Yolo County Board of Supervisors and the Yolo County Planning & Public Works Department, both responsible for land use development/planning functions in Yolo

County. See correspondence attached hereto as Appendices B and C. The Board of Supervisors acknowledged receipt of a letter from Sierra and forwarded Sierra's letter onto the Planning & Public Works Department for analysis. See Appendix C. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

(ii) Applicant does not foresee that abandonment of the Subject Line will have any adverse impact on prime agricultural land or farmland resources. The California Natural Resource Conservation Service has been advised of the proposed abandonment. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

(iii) The proposed abandonment would not be undertaken within a designated coastal area. The California Coastal Commission has been advised of the proposed abandonment. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

(iv) Applicant believes that portions of the Subject Line may be suitable for alternative public use under 49 U.S.C. § 10905. The Yolo County Board of Supervisors and the Yolo County Planning & Public Works Department, both responsible for county planning and development issues, have been advised of the proposed abandonment. See correspondence attached hereto as Appendices B and C. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

4. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No freight rail service, except for the occasional storage of railcars, has been provided on the Subject Line for more than ten (10) years. Applicant foresees little possibility that new on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this proposed abandonment. No recyclable commodities have moved over the Subject Line for the last ten (10) years, and Applicant foresees little possibility that any recyclable commodity traffic would develop in the future.

(iii) The proposed abandonment will not result in an increase or decrease in overall energy efficiency. No freight rail service, except for the occasional storage of railcars, has been provided on the Subject Line for the last ten (10) years.

(iv) Not applicable. The abandonment of the Subject Line will not cause the diversion of more than 1,000 rail carloads per year or an average of fifty (50) rail carloads per mile per year to motor carriers. No freight rail service, except for the occasional storage of railcars, has been provided on the Subject Line for the last ten (10) years.

5. Air.

(i) Not applicable. The proposed abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight (8) trains per day on any segment of rail line affected by the proposal, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or fifty (50) vehicles per day on any affected road segment.

(ii) Not applicable. The proposed abandonment of the Subject Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. § 1105.7 (e) (5) (ii) (A), (B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Subject Line for the last ten (10) years, and no such shipments will be diverted as a result of the proposed abandonment.

The proposed abandonment will not significantly impact air quality standards, increase ozone precursor emissions or require a general conformity analysis. Applicant has contacted and requested comments from the California Environmental Protection Agency, the California Natural Resource Conservation Service, and the U.S. Environmental Protection Agency. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

6. Noise. Not applicable. None of the thresholds identified in 49 C.F.R. § 1105.7(e) (5) (i) will be exceeded as a result of the proposed abandonment.

7. Safety.

(i) No freight rail service, except for the occasional storage of railcars, has been provided on the Subject Line for the past ten (10) years, and thus the proposed action will have no adverse effect upon public health or safety. During any salvage operations on the Subject Line, precautions will be taken to maintain public safety.

(ii) Not applicable. No hazardous materials are expected to be transported as a result of the proposed abandonment.

(iii) Applicant is not aware of any hazardous waste sites or sites where there have been hazardous material spills on the right-of-way of the Subject Line. The U.S. Environmental Protection Agency, the California Environmental Protection Agency, and the California Natural Resource Conservation Service have been contacted about this proposed abandonment. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

8. Biological Resources.

(i) Applicant does not believe that any endangered or threatened species or any critical habitat or other fish or wildlife resources will be adversely affected as a result of the proposed abandonment, particularly since the bridge located on the Subject Line will be left in place and salvage operations will be handled within the right-of-way using existing access routes.¹ The United States Fish and Wildlife Service has been advised of the proposed abandonment. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

(ii) Applicant is not aware of any wildlife sanctuaries or refuges, or national or state parks or forests, located on the Subject Line. Accordingly, none will be adversely affected. Applicant has contacted and requested comments from the California Natural Resource Conservation Service and the National Park Service. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

¹ See infra Historic Report for discussion of the bridge located on the Subject Line.

9. Water. Any water quality effects from the proposed abandonment should be minimal. No bridges over water will be removed as part of the proposed abandonment. Therefore, Applicant believes that the proposed abandonment will not have a significant effect on water quality and is not aware of any inconsistencies with applicable Federal, State and local water quality standards. Comments have been requested from the California Natural Resource Conservation Service and the United States Environmental Protection Agency. See correspondence attached hereto as Appendix B. To date, no response has been forthcoming. Upon receipt of a response, Applicant will forward the response to the Board.

Sierra is unaware of any designated wetlands or 100-year flood plains that would be impacted by the proposed action. Sierra also does not anticipate the need to request permits under Sections 402 and 404 of the Clean Water Act. Sierra has contacted and requested comments from the California Natural Resource Conservation Service, the California Environmental Protection Agency, and the U.S. Army Corps of Engineers. See correspondence attached hereto as Appendix B. To date, no response has been forthcoming. Upon receipt of a response, Applicant will forward the response to the Board.

10. Proposed Mitigation. Sierra does not anticipate any adverse environmental impacts from the proposed abandonment and therefore no mitigation measures are contemplated.

* * * * *

In addition to the agencies referenced above, Applicant has requested comments from the National Oceanic and Atmospheric Administration – National Geodetic Survey

and the Chief Projects Analyst, Office of Planning and Research. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

Historic Report - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Subject Line is attached hereto as Appendix A.
2. Description of Line. The Subject Line proposed for abandonment is located in Yolo County, California. It consists of railroad tracks between approximately milepost 90.5 in the City of West Sacramento and a point south of Pumphouse Road, Yolo County. The total distance of the Subject Line is approximately 9.27 route miles and between approximately 80' and 100' wide, with some sections being approximately 120' wide. The Subject Line is located in a rural/industrial/residential area.
3. Photographs. Attached as Appendix D are copies of photographs of the bridge located on the Subject Line at Gregory Road, over South River Road. The bridge does not appear to have significant structural or historical qualities.
4. Information on Structures. To the best of Applicant's knowledge, the construction date of the bridge on the Subject Line is as follows:

<u>Structure No.</u>	<u>Construction Type</u>	<u>Construction Date</u>
DOT# 687881M	Wooden Pile & Timber	Circa 1918

Applicant knows of no major alterations to this structure.

5. History of Operations. Sierra acquired the Subject Line from Union Pacific in 1991 through an offer of financial assistance. Upon obtaining Board authority, Sierra plans to remove the rail and other track materials from the Subject Line and to perform related clean-up. Sierra intends to recycle materials, where possible, by using them on other parts of its systems. Sierra does not intend to remove any bridges or culverts on the Subject Line.

6. Engineering Documents. Sierra has checked its business records and determined that it does not possess any engineering drawings that might be useful in documenting a structure that is found to be historic.

7. Historic Criteria. Based on information within its possession, Sierra does not believe that the bridge on the Subject Line is of unique character or historical significance or meets the criteria for listing in the National Register of Historic Places (36 C.F.R. § 60.04). Sierra also believes that no culturally significant locations, archaeological sites or unique land forms will be affected by the proposed abandonment. Sierra has contacted and requested comments regarding this abandonment from the California Office of Historic Preservation in its capacity as SHPO. See correspondence attached hereto as Appendix B. To date, no response has been received. Upon receipt of a response, Applicant will forward the response to the Board.

8. Ground Disturbance. Based on readily available information in its possession, Sierra is aware of no prior subsurface ground disturbance or fill or environmental conditions (naturally occurring or man-made) that might affect the archeological recovery of resources.

Certification - 49 C.F.R. § 1105.7(c)

A certification in accordance with 49 C.F.R. § 1105.7(c) that the foregoing Report has been served on each of the agencies designated therein and that Applicant has consulted with all appropriate agencies in preparing this Report is attached hereto as Appendix E. The Applicant also has published a public notice in a newspaper of

general circulation in the county in which the Subject Line is located in accordance with
49 C.F.R. § 1105.7(c).

A

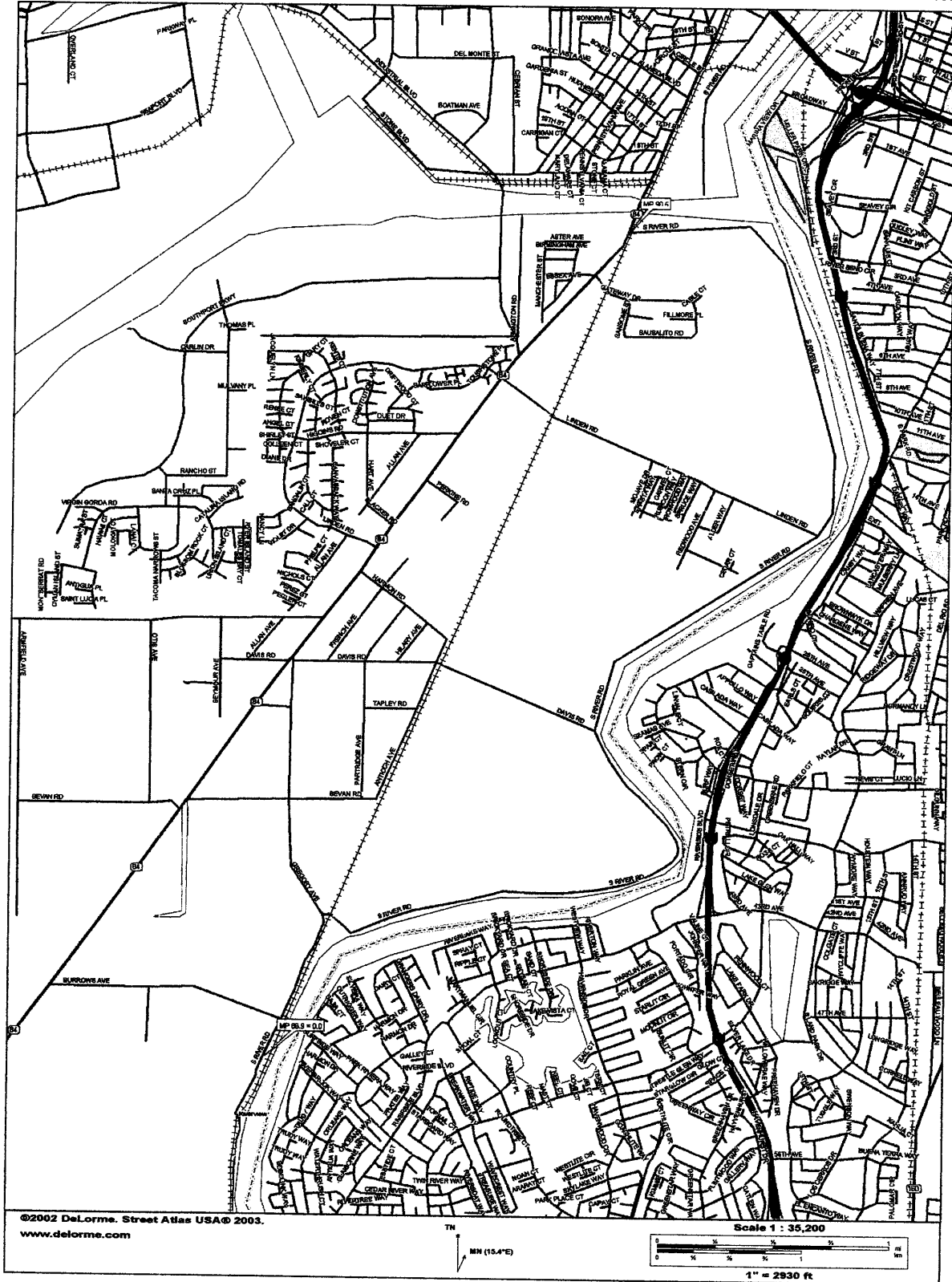


EXHIBIT A-1

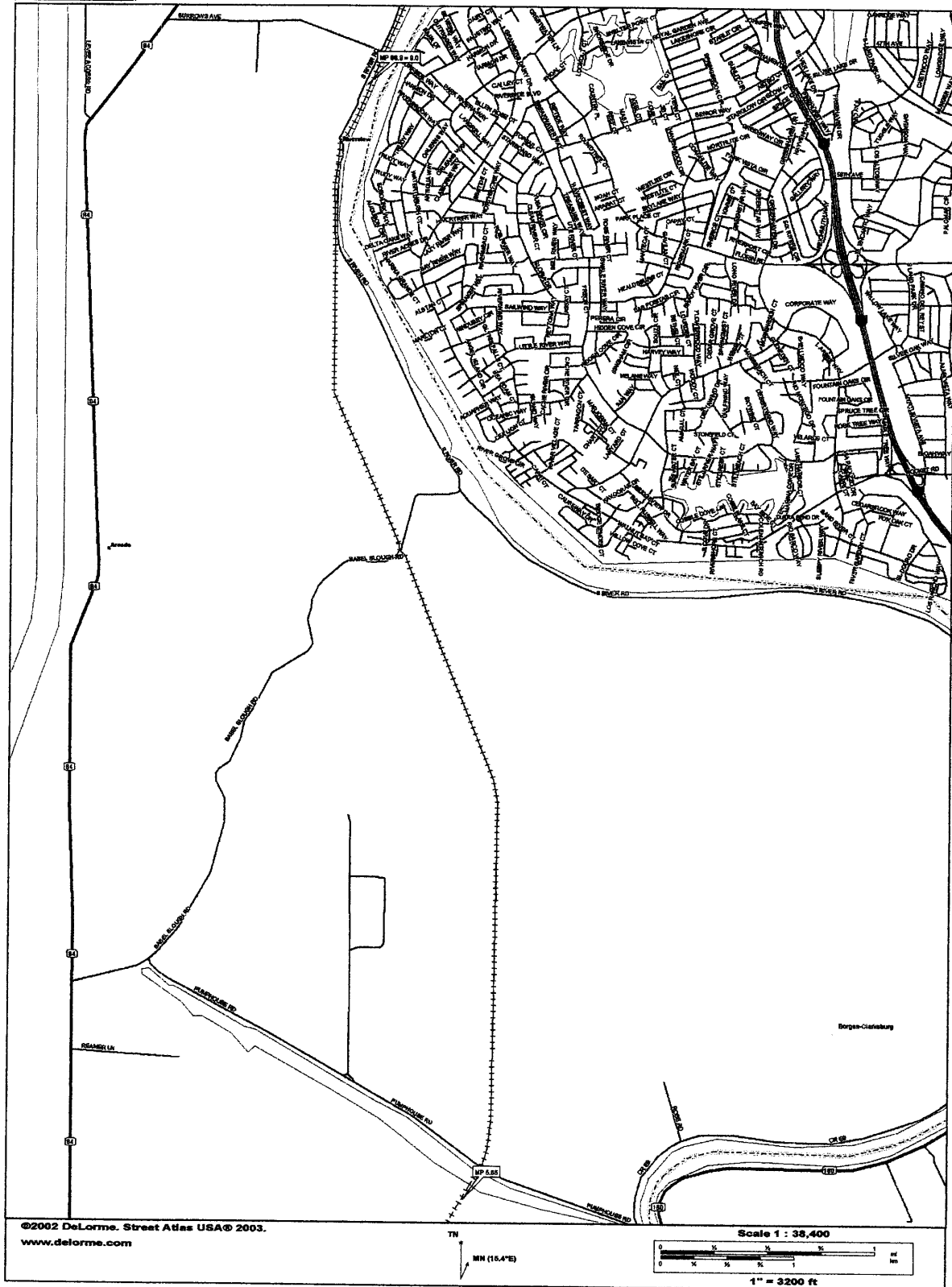


EXHIBIT A-2

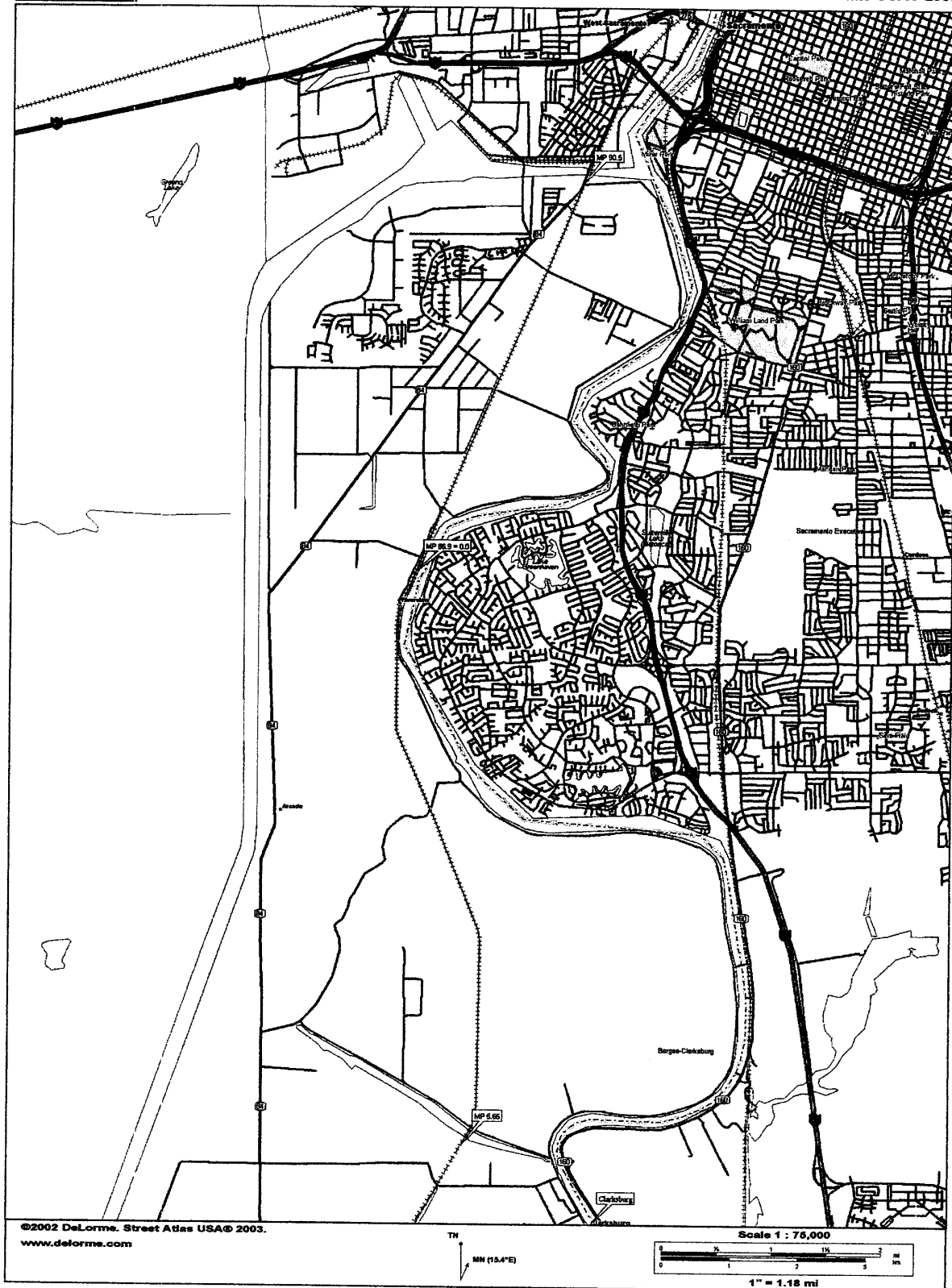


EXHIBIT A-3

B

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

May 3, 2004

TO: ALL PARTIES ON THE ATTACHED ENVIRONMENTAL CONTACT LIST

**Re: Docket No. AB-874X
Sierra Railroad Company and Sierra Northern Railway –
Abandonment Exemption – In Yolo County, California**

Dear Sir / Madam:

Sierra Railroad Company and Sierra Northern Railway (collectively "Sierra"), expect shortly to file with the Surface Transportation Board ("Board") a petition for exemption from the provisions of 49 U.S.C. § 10903 to abandon its Clarksburg Branch between approximately milepost 90.5 in the City of West Sacramento and a point south of Pumphouse Road, Yolo County, California (the "Subject Line"). The total distance of the Subject Line is approximately 9.27 route miles. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Please also advise us if permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344) are required for the proposed abandonment.

Kirkpatrick & Lockhart LLP

May 3, 2004
Page 2

We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-874X and be sent to:

Janie C.I. Sheng
Kirkpatrick and Lockhart LLP
1800 Massachusetts Avenue – 2nd Floor
Washington, DC 20036

with a copy to:

Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

In accordance with the Board's regulations, a copy of the Environmental Report prepared in connection with this abandonment will be forwarded to you at least twenty days before the petition for exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at (202) 778-9390 or Janie C.I. Sheng at (202) 778-9855.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Tracie D. Spear".

Tracie D. Spear
Attorney for Sierra Railroad Company
and Sierra Northern Railway

Enclosure

ENVIRONMENTAL CONTACT LIST

Sierra Railroad Company and Sierra Northern Railway – Abandonment Exemption –
In Yolo County, California
Docket No. AB-874X

FEDERAL AGENCIES CONSULTED:

U.S. Environmental Protection Agency

U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street
San Francisco, CA 94105
(415) 744-1305

U.S. Fish and Wildlife Services

Regional Director
U.S. Fish & Wildlife Service
Eastside Federal Complex
911 NE 11th Avenue
Portland, OR 97232-4181
(503) 231-6118

U.S. Army Corps of Engineers

U.S. Army Engineer District, Sacramento
1325 "J" Street
Sacramento, CA 95814-2922
(916) 577-5105

National Park Service

National Park Service
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607
(510) 817-1300

U.S. National Geodetic Survey

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East West Highway
Silver Spring, MD 20910-3282
(301) 713-3245

STATE AGENCIES CONSULTED:

State Clearinghouse

Chief Projects Analyst
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814
(916) 323-7480

State Historic Preservation Office

Office of Historic Preservation
Department of Parks and Recreation
P.O. Box 942896
Sacramento, CA 94296-0001
(916) 653-6624

State Environmental Protection Agency

Environmental Protection Agency
555 Capitol Mall
Sacramento, CA 95841
(916) 445-3846

State Natural Resource Conservation Service

Natural Resource Conservation Service
USDA Conservation Service
340 G Street #4164
Davis, CA 95616-5475
(530) 792-5635

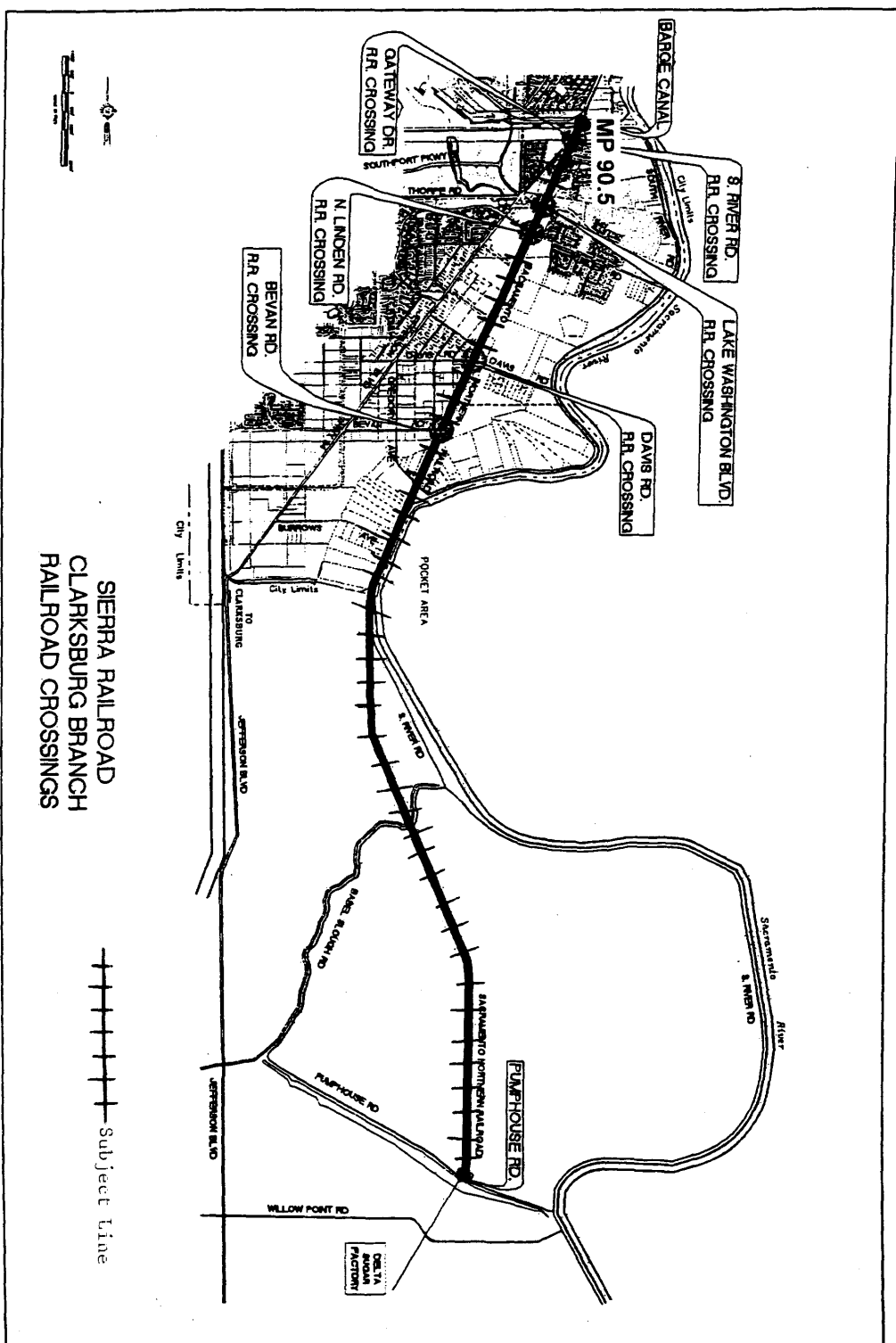
Coastal Zone Management

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219
(415) 904-5200

REGIONAL PLANNING COMMISSION:

Yolo County

Yolo County Board of Supervisors
292 West Beamer Street
Woodland, CA 95695
(530) 666-8775



C 4



County of Yolo

625 Court Street, Room 204

Woodland, California 95695

(530) 666-8195

FAX (530) 666-8193

www.yolocounty.org

BOARD OF SUPERVISORS

First District - Mike McGowan

Second District - Helen M. Thomson

Third District - Frank Sieferman, Jr.

Fourth District - Mariko Yamada

Fifth District - Lynnel Pollock

County Administrator - Victor Singh

Clerk of the Board - Patty Crittenden

May 7, 2004

Kirkpatrick & Lockhart
Attn: Tracie D. Spear
1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221

Dear Ms. Spear:

The Yolo County Board of Supervisors is in receipt of your letter dated May 3, 2004, requesting a response for potential effects due to the possible abandonment of the Clarksburg Branch by the Sierra Railroad Company and Sierra Northern Railway.

Your letter has been forwarded to the Planning & Public Works Department for analysis and a recommendation to the Board. It will be referenced on the Board of Supervisors' correspondence list for their meeting of May 20, 2004. We will keep you apprised of any action(s) taken by the Yolo County Board of Supervisors on this matter.

Thank you for your interest in Yolo County. If you have any questions, please call us at (530) 666-8195.

Sincerely,

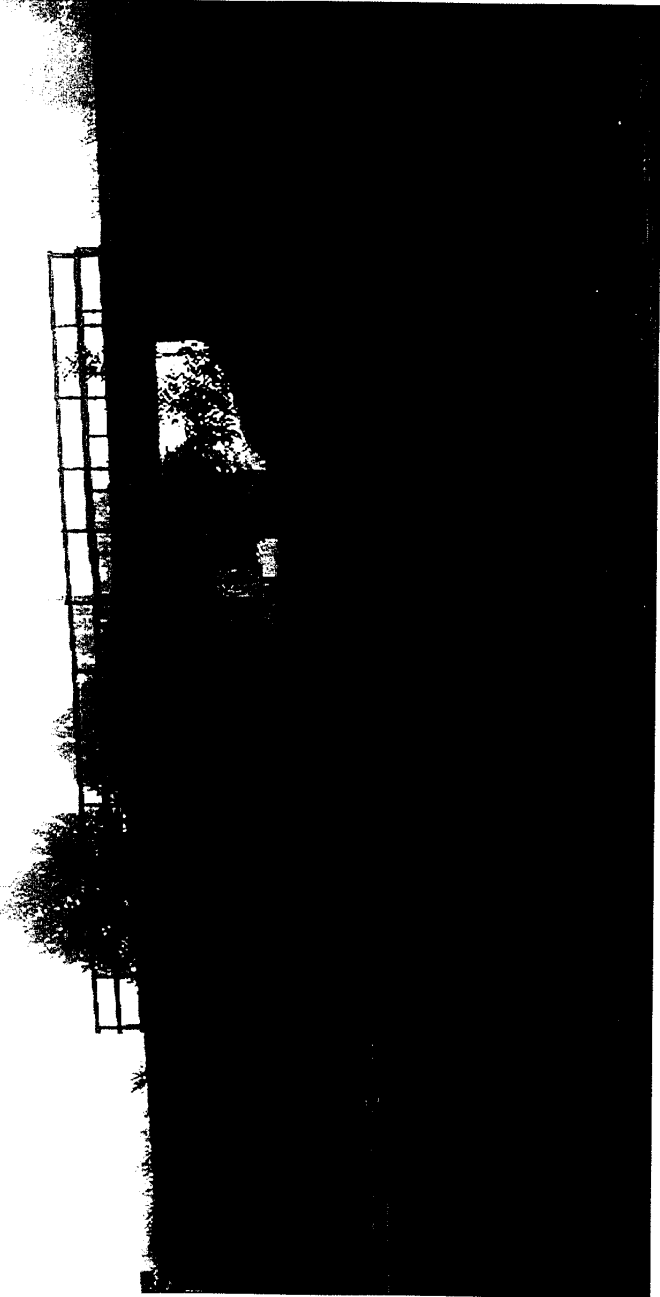
Julie Dachtler, Deputy Clerk
Yolo County Board of Supervisors

D

EXHIBIT D-1



EXHIBIT D-2



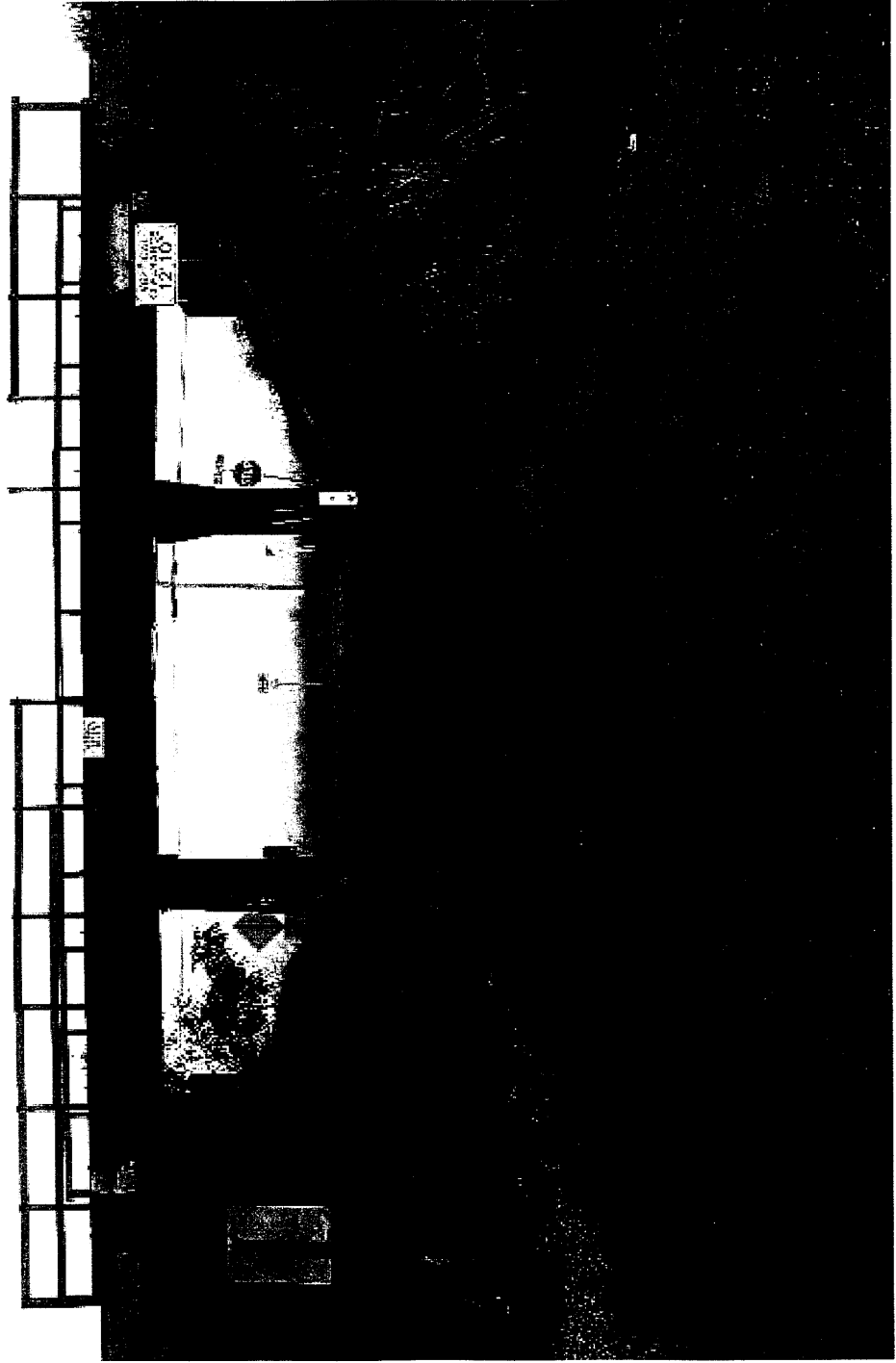


EXHIBIT D-3



EXHIBIT D-4

EXHIBIT D-5

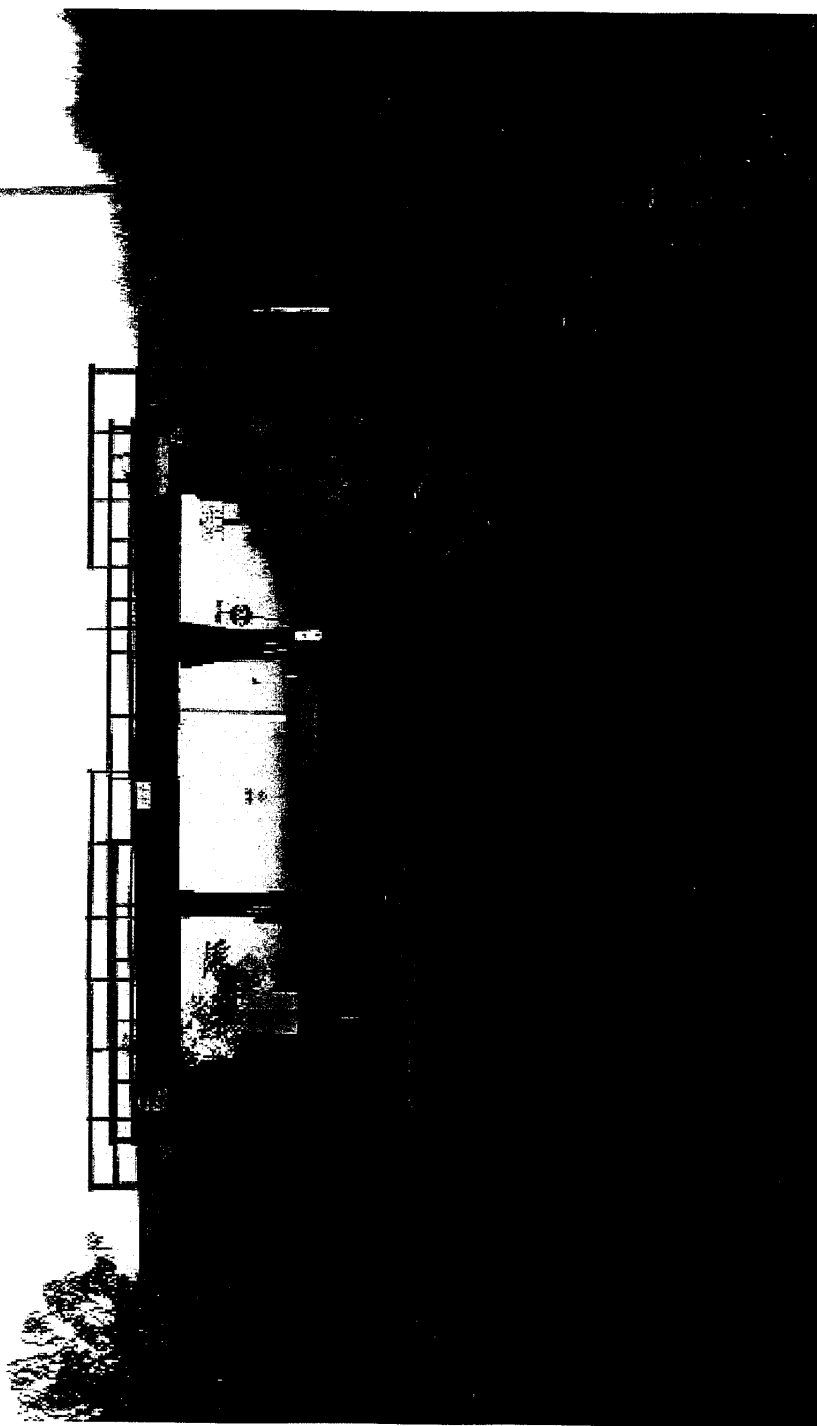




EXHIBIT D-6

EXHIBIT D-7



EXHIBIT D-8





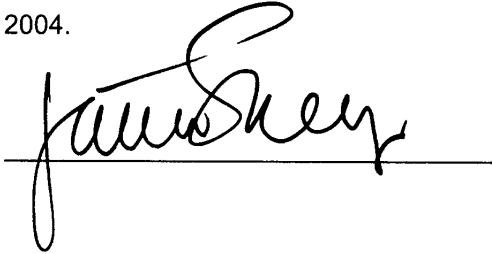
EXHIBIT D-9

E

APPENDIX E
CERTIFICATE OF SERVICE
OF
ENVIRONMENTAL AND HISTORIC REPORT

I hereby certify that on November 12, 2004, I served the Environmental Report and Historic Report for Surface Transportation Board Docket No. AB-874X pursuant to 49 C.F.R. §§ 1152.50, 1105.7(b) and 1105.11 by first-class United States mail, postage prepaid, upon the parties listed on the Environmental Contact List, which were previously consulted by letter dated May 3, 2004. I further certify that on November 8, 2004, a public notice was published in a newspaper of general circulation in the county in which the Subject Line is located pursuant to 49 C.F.R. §§ 1152.50, 1105.7(c) and 1105.12.

Dated this 12th day of November, 2004.

A handwritten signature in black ink, appearing to read "James Sheer", is written over a horizontal line.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Yolo

THE DAILY DEMOCRAT

a newspaper of general circulation, printed and published daily in the City of Woodland, County of Yolo, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Yolo, State of California, under the date of June 30, 1952, and in accordance with the provisions of Title 1, Division 7, of the Government Code of the State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates to-wit:

.....November 8.....

.....all in the year 20...04.....

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

This space is for the County Clerk's Filing Stamp

Docket No. AB-874X

Proof of Publication of

Notice of Intent to File
Sierra Northern Railway-Abandonment
Exemption-In Yolo County, California

BEFORE THE SURFACE TRANSPORTATION
BOARD WASHINGTON, D.C.

BEFORE THE SURFACE
TRANSPORTATION BOARD
WASHINGTON, D.C.
EXEMPTION
SIERRA NORTHERN RAILWAY
ABANDONMENT EXEMPTION
IN YOLO COUNTY,
CALIFORNIA
NOTICE OF INTENT TO FILE
Sierra Northern Railway (Sierra)
gives notice that it expects shortly
to file with the Surface Trans-
portation Board, Washington,
D.C. 20423, a notice of exemp-
tion under 49 CFR 1152 Subject
Exemption (Abandonment). Per-
mitting the abandonment of a
9.27 mile line of railroad located
between approximately milepost
90.500 to the City of West Sacra-
mento, California, which traver-
ses through United States Postal
Service ZIP Code 95661, and a
point south of Purchouse Road,
approximately milepost 5.66
near Clarkburg, California,
which traverses through United
States Postal Service ZIP Code
95630 in Yolo County, California.
The proceeding will be docketed
as No. AB-874X.
The Board's Section of Environ-
mental Analysis (SEA) will gen-
erally prepare an Environmental
Assessment (EA), which will nor-
mally be available 25 days after
the filing of the notice exemption.
Comments on environmental
and priority matters should be
filed no later than 15 days after
the EA becomes available to the
public and will be addressed to -

CERTIFICATE OF NOTIFICATION

I hereby certify that on or before November 19, 2004, a written notice containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies as designated in that section:

Michael R. Peevey
President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

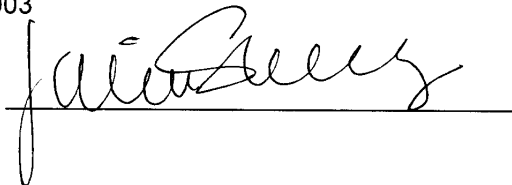
SDDCTEA
ATTN: Railroads for National Defense
Mr. William Cooper
Director
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-4537

Jon Jarvis
Regional Director (Pacific West Region)
National Park Service
One Jackson Center
1111 Jackson Street
Suite 700
Oakland, CA 94607

National Park Service
Regional Resources Assistance Division
1849 C Street, NW (2310)
Washington, DC 20240-0001

U.S.D.A. Forest Service
Chief of the Forest Service
1400 Independence Ave., SW
Washington, DC 20250-0003

Dated: December 6, 2004

A handwritten signature in dark ink, appearing to read "William Cooper", is written over a horizontal line.

Kirkpatrick & Lockhart LLP

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

November 19, 2004

Janie C. I. Sheng
202.778.9855
Fax: 202.778.9100
jsheng@kl.com

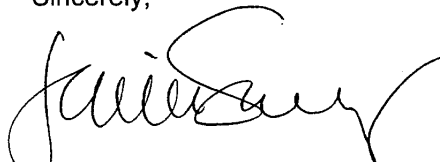
TO: ALL PARTIES ON THE ATTACHED DISTRIBUTION LIST

RE: Docket No. AB-874X
Sierra Northern Railway – Abandonment Exemption –
In Yolo County, California

Dear Sir or Madam:

Pursuant to 49 C.F.R. 1152.50(d)(1), Sierra Northern Railway ("Sierra") hereby gives notice that it expects to file with the Surface Transportation Board a Notice of Exemption from regulation in accordance with the exemption regulations set forth at 49 C.F.R. 1152, subpart F, on or about December 2, 2004. Sierra is seeking authority to abandon the Clarksburg Branch, a 9.27 mile line of railroad located between approximately milepost 90.5 in the City of West Sacramento, California, which traverses through United States Postal Service ZIP Code 95691, and a point south of Pumphouse Road, approximately milepost 5.68 near Clarksburg, California, which traverses through United States Postal Service ZIP Code 95612 in Yolo County, California. No revenue traffic has originated or terminated or moved overhead on the line to be abandoned for more than two years. Based on information in our possession, the line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Sincerely,



Janie C. I. Sheng
Attorney for Sierra Northern Railway

Cc: Torgny Nilsson
Robert Murphy

DC-678255 v1 0307591-0100

BOSTON ■ DALLAS ■ HARRISBURG ■ LOS ANGELES ■ MIAMI ■ NEWARK ■ NEW YORK ■ PITTSBURGH ■ SAN FRANCISCO ■ WASHINGTON

Kirkpatrick & Lockhart LLP

DISTRIBUTION LIST

Sierra Northern Railway – Abandonment Exemption – in Yolo County, California
Docket No. AB-874X

Michael R. Peevey
President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

SDDCTEA
ATTN: Railroads for National Defense
Mr. William Cooper
Director
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-4537

Jon Jarvis
Regional Director (Pacific West Region)
National Park Service
One Jackson Center
1111 Jackson Street
Suite 700
Oakland, CA 94607

National Park Service
Regional Resources Assistance Division
1849 C Street, NW (2310)
Washington, DC 20240-0001

U.S.D.A. Forest Service
Chief of the Forest Service
1400 Independence Ave., SW
Washington, DC 20250-0003